



California Fair Political Practices Commission

June 25, 1986

Marvin Church
County Clerk-Recorder
County of San Mateo
Hall of Justice and Records
Redwood City, CA 94063-0964

Re: Your Request for Advice
Our File No. I-86-183

Dear Mr. Church:

This is in response to your letter of May 22, 1986, and to confirm the telephone message I left with your office on June 4, 1986.

You have asked whether Elections Code Section 12404(c) allows the campaign committee controlled by your incumbent sheriff, who passed away on April 21, 1986, to transfer its unused funds to the campaign of the acting sheriff.

As I advised you on June 4, the Fair Political Practices Commission does not interpret or enforce the Elections Code. You should contact your district attorney's office or the Attorney General's office with regard to this matter.

Please do not hesitate to contact me at (916) 322-5662 if you have additional questions.

Sincerely,

Carla Wardlow

Carla Wardlow
Political Reform Consultant

OFFICE OF THE COUNTY CLERK-RECORDER
and Administrative Clerk of the Superior Court



MARVIN CHURCH
COUNTY CLERK-RECORDER

MAY 27 9 46 AM '86

COUNTY OF SAN MATEO

HALL OF JUSTICE AND RECORDS · REDWOOD CITY · CALIFORNIA 94063-0964

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May 22, 1986

Ms. Cardia Wardlow, Political Reform Consultant
Fair Political Practices Commission
428 "J" Street, Suite 800
P. O. Box 807
Sacramento, CA 95804

Dear Ms. Wardlow:

Our incumbent Sheriff passed away April 21, 1986 and his Campaign Committee has asked our office about legal disbursement of the unused funds. They inquired as to whether or not they could donate to another campaign or committee.

In view of the fact that the elected official has left office through his passing, it seems that Election Code 12404 (c) could be applied and we have advised the Committee of that code section. We would, however, like your confirmation and approval that this is a correct procedure to follow in this case.

We would appreciate your giving this matter priority attention as the Committee was to transfer the remaining funds to the Acting Sheriff who plans to run in our August 26, 1986 election. The petitions will be available in June under special legislation. Your cooperation in this matter is appreciated.

Sincerely,

A handwritten signature in black ink that reads "Marvin Church". The signature is stylized with a long, sweeping underline.

Marvin Church
County Clerk-Recorder

MC:rv

cc: Renn Pauley, Treasurer
Committee to Elect Brendan Maguire